

U.S DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY

CLERK  
U.S. DISTRICT COURT  
DISTRICT OF NEW JERSEY  
RECEIVED

JANE SMALL (PLAINTIFF)

v

RAHWAY BOARD OF EDUCATION  
( DEFENDANT)

2018 MAR 16 P 3:48

amended complaint 2:17-cv-0

2:17-cv-01963 jmv-mf

ADEA DISCRIMINATION AND

RETALIATION FEDERAL

COMPLAINT

DEPRIVATION OF 5<sup>th</sup> an14

and 1<sup>st</sup> AMENDMENTS

#### PRELIMINARY STATEMENT

JANE SMALL (plaintiff) alleges and states as follows: I have been deprived DUE PROCESS that certain PROCEDURES should have been followed before any actions by the RAHWAY BOARD OD EDUCATION against me. I should have been given notice of RAHWAY BOARD OF EDUCATION plans and had a chance to comment on the action. Instead my 5<sup>th</sup> and 14 th AMENDMENT RIGHTS which PROHIBITS GOVERNMENT FROM TAKING A PERSON'S LIFE,LIBERTY or PROPERTY WITHOUT DUE PROCESS OF LAW was clearly violated.

1) Jane Small brings this action against RAHWAY BOARD OF EDUCATION for VIOLATIONS OF THE AGE DISCRIMINATION IN EMPLOYMENT ACT ADEA 29 U.S.A. et seq) AND N.J. ANTI DISCRIMINATION LAWS

2) DEFENDANTS hired Jane Small in year 2012 during her tenure she has had a excellent job performance. She has done extra in helping Coach girls basketball, helping with Nightly programs for the Children and Teachers . A helper at all times, very dependable and accurate. She has been turned down twice for Job Promotions due to UNKNOWN reasonings being looked over in the hiring process for younger applicants .i had my black seal license and the younger candidates who came after me were promoted. I spoke up for myself and Mr Dave Brown RAHWAY Councilman came and spoke to RAHWAY BOARD OF EDUCATION at a meeting in my defense on being skipped over and I have my license and a good work record. A few months after that meeting in which I was in attendance I was FIRED. I was replaced by a white caucasion male, 30 yrs younger with less seniority, and significantly less experience.

#### JURISDICTION

3) This court has JURISDICTION over this ACTION PURSUANT to 28 u.s.a.1331 IN THAT THIS IS A civil action ARISING UNDER THE ADEA. This COURT has SUPPLEMENTAL JURISDICTION OVER PLAINTIFFS related Claims arising under STATE and LOCAL LAWS PURSUANT to 28 U.S.C.1337

#### VENUE

4) VENUE is proper in this District under 28 U.S.A. 1331(B)(1)IN THAT RAHWAY BOARD OF

8) on 8/31.2016 Jane Small was called at home and fired per Mr Johnson the Principal in which he said get details from Mrs. Camp who refused all my calls.

9) Jane Small was 60 yrs old and qualified for position that she was already still working their until this allege drug test result in which I wasn't privy to when I went to linden care STATION on they said I did not pay for it so you cannot get any information even though I was fired from the job and the RAHWAY BOARD OF EDUCATION left me out without a retest or me being able to give the MRO DR at the lab testing facility my meds in which the allege drug test they said was positive. IT IS MY BODY!!

10) JANESMALL was not allowed representation from the union even though I already had my card and joined two weeks earlier Mrs Camp told them when they tried to find out what happened that I didn't make the sept 1 date in which I would have been full time so she told them I not an employee and she doesn't have to answer any questions. I had talked with mrs Reeder union president and that what she was told the union lawyer could not talk to me because she fired me the day before on purpose knowing with this allege ruling of termination I would need representation.

11) RAHWAY BOARD OF EDUCATION violated Jane Small DUE PROCESS rights by not following PROCEDURE to given NOTICE AND AN OPPORTUNITY TO BE HEARD. ALL MY MEDICATIONS SHOULD HAVE BEEN PRESENTED TO THE MRO AT THE DRUG SCREENING LAB AND THEY WERE NOT DUE TO THE FACT THE RAHWAY BOARD OF ED CHOSE TO BE SNEAKY AND PRESENTED ME WEEKS LATER WITH THIS ALLEG DRUG RESULT. I HAD CONDITIONS THAT WERE BEING TAKEN CARE OF AND I HAD WENT THRU TEST AND PROCEDURES AT A HOSPITAL .I NEVER HAD A CHANCE TO SPEAK.I DIDN'T KNOW WHAT THE ALLEG DRUG WAS UNTIL I RECEIVED THE LETTER ON 9 2 2016 WITH THE ALLEG POSITIVE RESULTS IN WHICH THEY KNEW OF A WEEK BEFORE.

12) THE Rahway BOARD OF EDUCATION HAS REPEATEDLY SHOWN DISCRIMINATION AND DEFAMATION OF CHARACTER TO ME FOR NO GOOD REASON. THE THE WHOLE COURT AND OPINION ORDER IN WHICH PER ORDERS OF JUDGE MICHAEL VASQUES IS ON LINE AND MY NAME IS ON THEM.MY 1<sup>ST</sup> AMENDMENT RIGHT IS TO PRIVACY IS GONE. I HAVE COPIED TWO EXAMPLES AND WILL INCLUDE TO THE COURT. I DON'T THINK IT FAIR BECAUSE I AM PRO SE THAT EVERYBODY GIVES THE LEAST RESPECT .THATS MY NAME ON A BOGUS CHARGE. I AM NOT A DRUG USER I HAVE TAKEN OTHER TEST AT OTHER FACILITY AND PASSED. The ALLEG FAILING IS NOT ONE FOR ME TO BELIEVE AFTER THE WAY THINGS WERE DONE PROCEDURE WISE AND I KNOW THAT I AM NOT ON DRUGS.THEY OBVIOUSLY HAD THE NEED TO MAKE SURE I WOULD HAVE NO RECOURSE OR TIME I WAS TOLD TO PROVE IT.

13) ALL MY 5 BROTHER AND SISTER WENT TO RAHWAY HIGH INCLUDING MY SON AND I WOULD NEVER THINK AFTER ALL MY PARTICIPATION IN PAL, CYRS, CHURCH CHOIRS, CHARITYS ALIKE THAT I WOULD BE TREATED LIKE THIS. I KNOW FOR SURE THAT THERE ARE FAMILIES IN RAHWAY THAT ARE CONTINUALLY LOOKED AT FOR THE BETTER BECAUSE OF WHO THEY KNOW ON THE BOARD OF EDUCATION.I WILL FIGHT THIS TILL THE END .NEPOTISM IS ALIVE IN RAHWAY THEIR AND IN MY OPINION ITS BEEN GOING ON FOR YEARS IN RAHWAY WITH CERTAIN MEMBERS LOOKING OUT FOR THEIR FRIENDS FAMILIES ASSOCIATES FOR WHATEVER

THEY GET BACK FOR IT.

14) THEREFORE I DO NOT TRUST THEM . NOW MY NAME IS PLASTERED ON THE INTERNET AS HAVING A DRUG PROBLEM WHEN THE WHOLE TOWN KNOWS I DON'T EXCEPT THE RAHWAY BOARD OF EDUCATION.I WILL NOT PUT ANYMORE MEDICAL ISSUES OUT THERE SINCE THEY ARE BEING SCRUTINIZED BY STRANGERS OR ANYBODY. 1<sup>ST</sup> AMENDEMENT HAS BEEN DEFEATED IN THIS CAUSE. I HAVE BEEN SLANDERED ,IMBARRASSED AND MENTALLY TAKEN A TOLL ON ME TRYING TO DEFEND MYSELF WITH THIS RIDICULOUS ACCUSATIONS AND TERMINATIONS FROM MY PART TIME JOB AND FULL TIME JOB CUSTODIAL.

PRAYER FOR RELIEF

A) ACCEPT JURISDICTION OVER THE MATTER  
B) AWARD PLAINTIFF FOR HER PAST AND FUTURE LOSS OF  
WAGES AND BENEFITS PLUS INTEREST  
C) ORDER RAHWAY BOARD OF EDUCATIONON LIEU OF  
REINSTATEMENT AWARD HER FRONT PAY (INCLUDING BENEFITS)  
D) AWARD TO PLAINTIFF LIQUIDATED DAMAGES INCURRED IN  
CONNECTION WITH THIS ACTION  
E) GRANT PLAINTIFFSUCH ADDITIONAL OR ALTERNATIVE RELIEF AS  
THE DEEMS JUST AND PROPER.

JURY DEMAND

TRIAL BY JURY ON ALL CLAIMS PROPERLY TRIABLE BY A JURY.

DATED 3/16/2018

RESPECTFULLY

JANE SMALL

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